

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF
PENNSYLVANIA,

Plaintiff,

v.

Civil Action No. 2:17-cv-04540 (WB)

DONALD J. TRUMP, in his official
capacity as President of the United States;
ALEX M. AZAR II, in his official
capacity as Secretary of Health and
Human Services; UNITED STATES
DEPARTMENT OF HEALTH AND
HUMAN SERVICES; STEVEN T.
MNUCHIN, in his official capacity as
Secretary of the Treasury; UNITED
STATES DEPARTMENT OF THE
TREASURY; RENE ALEXANDER
ACOSTA, in his official capacity as
Secretary of Labor; and UNITED STATES
DEPARTMENT OF LABOR,

Defendants.¹

NOTICE OF APPEAL

PLEASE TAKE NOTICE that the Defendants hereby appeal to the United States Court of Appeals for the Third Circuit from the Court's preliminary injunction opinion [ECF No. 59] and order [ECF No. 60], which were both issued on December 15, 2017.

Dated: February 6, 2018

Respectfully Submitted,

CHAD A. READLER
Acting Assistant Attorney General

ETHAN P. DAVIS
Deputy Assistant Attorney General

JENNIFER D. RICKETTS
Director, Federal Programs Branch

¹ Pursuant to Fed. R. Civ. P. 25(d), Alex M. Azar II is substituted as a defendant in his official capacity for Eric D. Hargan.

JOEL McELVAIN
Assistant Director, Federal Programs Branch

/s/ Justin M. Sandberg
JUSTIN M. SANDBERG (IL Bar# 6278377)
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that, on February 6, 2018, a copy of the forgoing document was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

DATED this 6th day of February, 2018.

s/ Justin M. Sandberg
JUSTIN M. SANDBERG
Senior Trial Counsel
United States Department of Justice